

REMARKS / ARGUMENTS

In complete response to the Restriction Requirement of February 25, 2009 on the above identified application, reconsideration is respectfully requested. Claims 1-10, 12, and 14-23 are pending in this application.

Election/Restrictions

The Examiner requested a restriction under 35 U.S.C. 121 between the following allegedly distinct inventions:

- I. Claims 1-6 and 21-23, drawn to an apparatus comprising auto-discovery, classified in class 700, subclass 9.
- II. Claims 7-10, 12, and 14-20, drawn to a method comprising programming each controller, classified in class 364, subclass 138.

In response to the requirement for restriction, the Applicants elect, with traverse, the invention of Group I claims 1-6 and 21-23, drawn to an apparatus comprising auto-discovery, and withdraw claims 7-10, 12, and 14-20.

The Examiner's restriction requirement is respectfully traversed because Group I and II are both drawn to the same invention, with the desired result being SCADA systems for distributed control. As the desired result for both groups is identical, the structuring of these claims should not present an undue burden on the Examiner for search purposes. The Applicants respectfully contend that this is particularly true in light of the fact that the Examiner had previously (i.e. prior to Appeal) examined these claims together without any undue burden.

CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,



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